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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/591,371
	Filing Date	09/01/2006
	First Named Inventor	RUSSWURM
	Art Unit	1623
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	3535-022

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Forms PTO/SB/08B; copies of cited references.
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Akerman Senterfitt / Customer No. 30448		
Signature	<i>Nicholas J. Landau</i>		
Printed name	Nicholas J. Landau		
Date	12/01/2006	Reg. No.	57,120

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Signature	<i>Nicholas J. Landau</i>		
Typed or printed name	Nicholas J. Landau	Date	12/01/06

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of RUSSWURM, *et al.*

Confirmation No. 7019

Application No. 10/591,371

Examiner: Unassigned

Filed: September 1, 2006

Group Art Unit: 1623

Attorney Docket No. 3535-022

For: METHOD FOR THE IDENTIFICATION OF SEPSIS

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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Nicholas J. Landau Reg. No. 57,120  
Nicholas J. Landau, Ph.D.

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent Office of the documents which are listed on the attached Forms PTO/SB/08B.

Applicants submit that the present invention is patentable over the cited references and submission of the listed documents is not intended as an admission that such documents constitute prior art against the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed documents as competent references against the present application. The references were cited in the specification of the present application. Insofar as the references are relevant, their relevance is explained in the Specification.

{WP353384;1}

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of forms PTO/SB/08B be returned in accordance with MPEP §609.


Certification

This Statement is being filed prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 C.F.R. 1.97(b).

In view of the above certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: December 1, 2006

  
Nicholas J. Landau, Ph.D.  
Reg. No. 57,120  
**AKERMAN SENTERFITT**  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Tel: 561-653-5000

Docket No. 3535-022

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/591,371
		Filing Date	09/01/2006
		First Named Inventor	RUSSWURM
		Art Unit	1623
		Examiner Name	Unassigned
Sheet 1	of 5	Attorney Docket Number	3535-022

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		ABRAHAM, et al., "Lenercept (p55 tumor necrosis factor receptor fusion protein) in severe sepsis and early septic shock: A random...", Crit Care Med 29(3): 503-510 (2001).	
		ABRAHAM, et al., "Sepsis Therapy Trials: Continued Dissappointment or Reason to Hope?", JAMA, 271(23): 1876-1878 (1994).	
		ABRAHAM, et al., "Assessment of the safety recombinant tissue factor pathway inhibitor in patients with severe sepsis...", Crit Care Med, 29(11): 2081-2089 (2001).	
		ABRAHAM, et al., "Sepsis and mediator-directed therapy: rethinking the target populations", Molecular Medicine Today, 56-58 (1999).	
		ALBERTI, et al., "Influence of Systemic Inflammatory Response Syndrome and Sepsis on Outcome of Critically Ill Infected Patients", Am J Respir Crit Care Med, 168:77-84 (2003).	
		ALIZADEH, et al., "Distinct types of diffuse large B-cell lymphoma identified by gene expression profiling", Nature, 403: 503-511 (2000).	
		BEUTLER, et al., "Sepsis and evolution of the innate immune response", Crit Care Med, 29(7) Suppl.: S2-S7 (2001).	
		BONE, et al., "The ACCP/SCCM Consensus Conference on Sepsis and Organ Failure", 101(6): 1481-1483 (1992).	
		BONE, ROGER C., "Sepsis, the Sepsis Syndrome, Multi-Organ Failure: A Plea for Comparable Definitions", Annals of Internal Medicine, 114(4): 332-3 (1991).	
		BONE, ROGER C., "The Pathogenesis of Sepsis", Annals of Internal Medicine, 115: 457-469 (1991).	

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		BRUN-BUISSON, et al., "Incidence, Risk Factors, and Outcome of Severe Sepsis and Septic Shock in Adults", JAMA 274(12): 968-974 (1995).	
		BRUN-BUISSON, et al., "The costs of septic syndromes in the intensive care unit and influence of hospital-acquired sepsis", Intensive Care Med, 29: 1464-1471 (2003).	
		EILING, et al., "Identification of differentially expressed genes during systemic inflammatory response syndrome using cDNA microarrays", Infection, 31: 301 (2003).	
		FILLION, et al., "Role of Chemokines and Formyl Peptides in Pneumococcal Pneumonia-Induced Monocyte/Macrophage Recruitment", Journal of Immunology, 166: 7353-7361 (2001).	
		FODOR, et al., "Light-Directed, Spatially Addressable Parallel Chemical Synthesis", Science, 215: 767-773 (1991).	
		FRIEDLAND, et al., "Plasma proinflammatory cytokine concentrations, Acute Physiology and Chronic Health Evaluation (APACHE)...", Crit Care Med, 24(11): 1775-1781 (1996).	
		GILLESPIE, et al., "A Quantitative Assay for DNA-RNA Hybrids with DNA immobilized on a Membrane", J. Mol. Biol., 12: 829-842 (1965).	
		GOLUB, et al., "Molecular Classification of Cancer: Class Discovery and Class Prediction by Gene Expression Monitoring", Science, 286: 531-537 (1999).	
		HENRY, et al., "Chipping away at brain function: mining for insights with microarrays", Current Opinion in Neurobiology, 13: 570-576 (2003).	
		HUBER, et al., "Parameter estimation for the calibration and variance stabilization...", Statistical Applications in Genetics and Molecular Biology, 2(1): 1-22 (2003).	

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Sheet 3 of 5	Attorney Docket Number	3535-022	

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		"Increase in National Hospital Discharge Survey Rates for Septicemia--United States, 1979-1987", MMWR Morb Mortal Wkly Rep, 39(2): 31-34 (1990).	
		KAFATOS, et al., "Determination of nucleic acid sequence homologies and relative concentrations by a dot hybridization...", Nucleic Acids Research, 7(6): 1541-1552 (1979).	
		LE GALL, et al., "Customized Probability Models for Early Severe Sepsis in Adult Intensive Care Patients", JAMA, 273(8): 644-650 (1995).	
		LENNON, et al., "Hybridization analyses of arrayed cDNA libraries", Trends Genet, 7(10): 314-317 (1991).	
		LEVY, et al., "2001 SCCM/ESICM/ACCP/ATS/SIS International Sepsis Definitions Conference", Crit Care Med, 31(4): 1250-1256 (2003).	
		MARSHALL, et al., "SIRS AND MODS: WHAT IS THEIR RELEVANCE TO THE SCIENCE AND PRACTICE OF INTENSIVE CARE?", Shock, 14(6): 586-589 (2000).	
		MARSHALL, et al, "Measures, markers and mediators: Toward a staging system for clinical sepsis. A Report of the Fifth Toronto Sepsis...", Crit Care Med, 31(5): 1560-67 (2003).	
		MATOT, et al., "Definition of sepsis", Intensive Care Med, 27:S3-S9 (2001).	
		PATHAN, et al., "Role of interleukin 6 in myocardial dysfunction of meningococcal septic shock", Lancet, 363: 203-209 (2004).	
		PEASE, et al., "Light-generated oligonucleotide arrays for rapid DNA sequence analysis", Proc. Natl. Acad. Sci., 91: 5022-5026 (1994).	

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		PITTET, et al., "Impact of Immunomodulating Therapy on Morbidity in Patients with Severe Sepsis", Am J Respir Crit Care Med 160: 852-857 (1999).	
		POEZE, et al., "An international sepsis survey: a study of doctors' knowledge and perception about sepsis", Critical Care, 8(6): R409-R413, 1-6 (2004).	
		RUSSWURM, et al., "PROCALCITONIN AS MONOCYTE MARKER FOR EARLY DIAGNOSIS OF SEPTIC ABORTION", Z Geburtsh Neonatol, 204: 34-38 (2000).	
		RUSSWURM, S., "Procalcitonin as a Marker of Bacterial Infections and Sepsis: Effect of Sepsis-Relevant Conditions on the Expression of Procalcitonin", 1-44 (2002).	
		SCHENA, et al., "Quantitative Monitoring of Gene Expression Patterns with a Complementary DNA Microarray", Science, 270: 467-469 (1995).	
		SOUTHERN, E.M., "An Improved Method for Transferring Nucleotides from Electrophoresis Strips to Thin Layers of Ion-Exchange..." Analytical Biochemistry, 62: 317-8 (1974).	
		STRAUBE, E., "Sepsis - microbiological diagnosis", Infection, 31(4): 284-5 (2003).	
		VINCENT, J., "Dear SIRS, I'm sorry to say that I don't like you...", Crit Care Med, 25(2): 372-374 (1997).	
		VINCENT, et al., "Clinical expert round table discussion (session 5) at the Margaux Conference on Critical Illness...", Crit Care Med, 29(7) Suppl.: S136-S137 (2001).	
		ZENI, et al., "Anti-inflammatory therapies to treat sepsis and septic shock: A reassessment", Crit Care Med, 25(7): 1095-1100 (1997).	

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